

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

EUGENE MANNACIO, on behalf of himself and  
all others similarly situated,

Plaintiff,

vs.

SOVEREIGN LENDING GROUP  
INCORPORATED,

Defendant.

Case No: 3:22-cv-05498-RSM

**DECLARATION OF  
SCOTT M. FENWICK OF KROLL  
SETTLEMENT ADMINISTRATION  
LLC IN CONNECTION WITH  
PRELIMINARY APPROVAL OF  
SETTLEMENT**

I, Scott M. Fenwick, hereby declare:

1. I am a Senior Director of Kroll Settlement Administration LLC (“Kroll”),<sup>1</sup> the proposed Settlement Administrator to be appointed in the above-captioned case, whose principal office is located at 2000 Market Street, Suite 2700, Philadelphia, Pennsylvania 19103. I am over 21 years of age and am authorized to make this declaration on behalf of Kroll and myself. The following statements are based on my personal knowledge and information provided by other experienced Kroll employees working under my general supervision. This declaration is being filed in connection with preliminary approval of the settlement.

2. Kroll has extensive experience in class action matters, having provided services in class action settlements involving antitrust, securities, labor and employment, consumer and government enforcement matters. Kroll has provided class action services in over 3,000 settlements varying in size and complexity over the past 50 years.

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<sup>1</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Settlement Agreement (as defined below).

3. Kroll also has extensive experience in the context of Telephone Consumer Protection Act (“TCPA”) cases. Recently, Kroll has augmented this experience with the addition of an expert in administration of large scale TCPA settlements who will be the primary day-to-day project manager for this settlement.

4. Kroll is prepared to provide a full complement of notification and claims administration services in connection with that certain Class Action Settlement Agreement (the “Settlement Agreement”) entered into in connection with the above-captioned matter, including notice of the Settlement Agreement disseminated by mail and through the use of a Settlement Website to be created in connection with this matter.

5. It is Kroll’s understanding that it will be provided with a Class List of telephone numbers of potential Settlement Class Members covered under the Settlement Agreement, along with physical addresses that are available. Kroll will perform reverse address searches on the telephone numbers provided on the Class List in an effort to obtain names and physical addresses associated with the telephone numbers. Kroll will perform this search using two address search vendors, and will update the Class List accordingly.

**Notice by Mail**

6. Kroll will work with Settlement Class Counsel and Defendant’s counsel (collectively “Counsel”) to format the Postcard Notice for mailing. Upon approval, Kroll will coordinate the preparation of Postcard Notice proofs for Counsel to review and approve.

7. As required under Section 4.4.2 of the Settlement Agreement, Kroll will send the Postcard Notice by first-class mail to the physical addresses of potential Settlement Class Members for whom a physical mailing address is available on the updated Class List.

8. In preparation for the Postcard Notice mailing, Kroll will send the updated Class List through the United States Postal Service’s (“USPS”) National Change of Address (“NCOA”) database. The NCOA process will provide updated addresses for potential Settlement Class Members who have submitted a change of address with the USPS in the last 48 months, and the

process will also standardize the addresses for mailing. Kroll will then prepare a mail file of potential Settlement Class Members that are to receive the Postcard Notice via first-class mail.

9. Mailed Postcard Notices returned by the USPS with a forwarding address will be automatically re-mailed to the updated address provided by the USPS.

10. As directed by Counsel, mailed Postcard Notices returned by the USPS undeliverable as addressed without a forwarding address will be sent through an advanced address search in an effort to find a more current address for the record. If an updated address is obtained through the advanced address search, Kroll will re-mail the Postcard Notice to the updated physical address.

#### **Settlement Website**

11. Kroll will work with Counsel to create a dedicated Settlement Website. The Settlement Website URL will be determined and approved by Counsel. The Settlement Website will contain a summary of the settlement, will allow potential Settlement Class Members to contact the Settlement Administrator with any questions or changes of address, provide notice of important dates such as the Final Approval Hearing and Response Deadline, allow potential Settlement Class Members to submit a Claim Form and Opt-Out Form online, and provide potential Authorized Claimants who file Claim Forms online the opportunity to select an electronic payment method, including Venmo, Zelle, Paypal, ACH, or payment by check. Consistent with Section 4.3 of the Settlement Agreement, to help protect against fraudulent submissions, the Settlement Administrator may use CAPTCHA for each electronic form submission. The Settlement Website will also contain relevant documents, including the operative Complaint, the Settlement Agreement, the Long-Form Notice, a downloadable Claim Form, and when filed, the Preliminary Approval Order and Settlement Class Counsel's motion for a Fees, Costs, and Expenses Award.

#### **Toll-Free Telephone Number**

12. Kroll will also establish a toll-free telephone number for the settlement. The toll-free telephone number will allow potential Settlement Class Members to call and obtain

information about the settlement through an Interactive Voice Response (“IVR”) system and live operators.

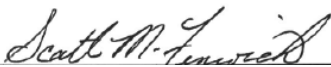
**Post Office Box**

13. Kroll will designate a post office box with the mailing address *Mannacio v. Sovereign Lending Group Incorporated*, c/o Kroll Settlement Administration LLC, PO Box 5324, New York, NY 10150-5324 in order to receive Opt-Out Forms, Claim Forms, objections, and correspondence from potential Settlement Class Members.

**Administrative Costs**

14. Based on Kroll’s current understanding of the class size, the requested Settlement Administrator’s notice and administrative costs are approximately \$81,780. Fees and costs for direct Postcard Notice are estimated at \$28,394.30, claims and settlement administrative costs are estimated at \$47,285.85, and distribution costs are estimated at \$6,100.50. The current estimate is subject to change depending on factors such as the actual Settlement Class size and/or any settlement administration scope change not currently under consideration.

I declare under penalty of perjury under the laws of the United States that the above is true and correct to the best of my knowledge and that this declaration was executed on August 16, 2023, in Inver Grove Heights, Minnesota.

  
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Scott M. Fenwick